

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

ROBBIE AUTERY and SHANE FULMER

**Plaintiffs,**

**V.**

**KEVIN DAVIS in his official capacity  
as Sheriff of Chilton County, Alabama,  
and individually,**

**Defendant.**

)  
)  
)  
)  
)  
)**CIVIL CASE No. 2:08-CV-41-WC**  
)  
)  
)  
)  
)  
)  
)  
)

**MOTION FOR EXCUSED ABSENCE FROM PRE-TRIAL CONFERENCE**

**COMES NOW**, Winston Sheehan, the lead attorney in the above-styled action and respectfully requests this Honorable Court to excuse him from attendance of the Pre-Trial Conference scheduled in this matter for Thursday, August 28, 2008. This attorney is scheduled to be in trial in Macon County Circuit Court on August 28, 2008.

Allison Alford Ingram, who has also filed an appearance on behalf of this Defendant, is prepared, willing, and able to attend the Pre-Trial Conference on behalf of the Defendant in this matter on August 28, 2008, at 3:00 p.m.

/s/ C. Winston Sheehan, Jr.  
C. WINSTON SHEEHAN, JR. (ASB-0613-A57-C)  
Attorney for Defendant, Kevin Davis

OF COUNSEL:

BALL, BALL, MATTHEWS & NOVAK, P.A.  
2000 Interstate Park Drive - Suite 204  
Post Office Box 2148  
Montgomery, Alabama 36109-5413  
Phone (334) 387-7680  
FAX (334) 387-3222

**CERTIFICATE OF SERVICE**

I hereby certify that on August 13, 2008, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system which will send notification of such filing to the following registered persons and that those persons not registered with the CM/ECF system were served by U.S. mail:

Hon. Gregory F. Yaghmai  
Hon. William E. Rutledge  
RUTLEDGE & YAGHMAI  
3800 Colonnade Parkway, Suite 490  
Birmingham, Alabama 35243  
[yaghmai@rylaw.net](mailto:yaghmai@rylaw.net)  
[williamerutledge@aol.com](mailto:williamerutledge@aol.com)

/s/ C. Winston Sheehan, Jr.

OF COUNSEL